

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

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**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

V.

JOON, LLC d/b/a AJIN USA,

Respondent.

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
NORFOLK DISTRICT, ALA

CIVIL ACTION NO.

3:18-mc-3836-wkw

Application For An Order To Show Cause Why An Administrative Subpoena Should Not Be Enforced

1. This is an action for enforcement of a subpoena issued pursuant to Section 710 of Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. § 2000e-9.
2. Jurisdiction is conferred upon the court by Section 706(f)(3) of Title VII, 42 U.S.C. § 2000e-5(f)(3), and by Section 11 of the National Labor Relations Act, 29 U.S.C. § 161, as amended, incorporated in Section 710 of Title VII, 42 U.S.C. § 2000e-9.
3. Applicant and Plaintiff, the Equal Employment Opportunity Commission (“EEOC” or the “Commission”), is the federal agency charged with the administration, interpretation, and enforcement of Title VII, including the investigation of charges of unlawful employment practices, and is authorized to bring this action pursuant to Section 710 of Title VII, 42 U.S.C. § 2000e-9.
4. The Respondent, Joon, LLC, d/b/a Ajin, USA, (“Respondent”) is an employer doing business in the State of Alabama with a facility in Cusseta, Alabama, within the jurisdiction of the United States District Court for the Middle District of Alabama.

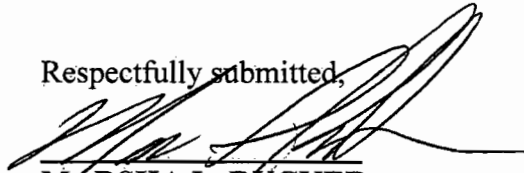
5. On March 29, 2017, pursuant to its authority under 29 U.S.C. § 161 (incorporated in Section 710 of Title VII, 42 U.S.C. § 2000e-9), the EEOC issued to the Respondent Subpoena No. MLO-17-001, which was duly served on the Respondent.
6. Subpoena No. MLO-17-001 required the Respondent to produce information needed as part of the EEOC's investigation of a charge of unlawful employment practices, Charge No. 425-2016-01057, which has been filed against the Respondent.
7. The Respondent filed a Petition to Revoke the Subpoena. On April 10, 2018, the Commission issued a Determination denying Respondent's Petition to Revoke.
8. The Respondent has refused to comply with Subpoena No. MLO-17-001.
9. Respondent's failure to comply with the Subpoena has delayed and hampered the EEOC's investigation.
10. The Declaration of Bradley A. Anderson, District Director, filed concurrently herewith, and the attachments thereto, provide the factual support for this Application. The Declaration and the attachments are incorporated by reference into this Application.

WHEREFORE, the Commission prays:

- a) That the Court issue an Order directing the Respondent to appear before this Court and to show cause, if there be any, why an Order should not issue directing the Respondent to comply with the subpoena;
- b) That, upon return of the Order to Show Cause, an Order issue directing the Respondent to comply with the subpoena; and
- c) That the Commission be granted its costs and such further relief as may be necessary and appropriate.

Dated: September 20, 2018

Respectfully submitted,



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